UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION 3:22-cv-00109-RJC-DCK

TIGRESS MCDANIEL,)
Plaintiff,))
vs.	ORDER
GREEN DOT CORPORATION, et al.,))
Defendants.	<i>)</i>))

THIS MATTER is before the Court sua sponte on the Fourth Circuit's decision on Plaintiff's appeal from the Court's Order denying her motion for leave to proceed in forma pauperis and denying Plaintiff's motion for recusal. [Doc. 18, see Docs. 9, 10].

On April 19, 2022, the Court denied Plaintiff's motion for recusal and motion to proceed in forma pauperis in this matter for the reasons stated in that Order. [Doc. 9]. The Court ordered that Plaintiff must pay the filing fee or this action would be dismissed without prejudice and without further notice to Plaintiff. [Id. at 6]. Plaintiff appealed the Court's Order. [Doc. 10]. Because an order denying "a motion to proceed in forma pauperis is an appealable [interlocutory] order," Roberts v. U.S. Dist. Court, 339 U.S. 844, 845, 70 S.Ct. 954 (1950) (per curiam), the Court stayed these proceedings pending resolution of Plaintiff's appeal. The Fourth Circuit has now ruled on Plaintiff's appeal, affirming the Court's denial of her motion to proceed in forma pauperis and dismissing the remainder of the appeal for lack of jurisdiction. [Doc. 18]. The Court, therefore, will lift the stay in this matter and allow Plaintiff 21 days to pay the filing fee in this matter in accordance with its previous Order.

IT IS THEREFORE ORDERED that the stay of this matter is hereby LIFTED, and Plaintiff shall pay the filing fee within 21 days of this Order or her Complaint will be dismissed without prejudice and without further notice to the Plaintiff.

Signed: December 2, 2022

Robert J. Conrad, Jr.

United States District Judge